

[DO NOT PUBLISH]

IN THE UNITED STATES COURT OF APPEALS

FOR THE ELEVENTH CIRCUIT

\_\_\_\_\_  
No. 05-10189  
Non-Argument Calendar  
\_\_\_\_\_

**FILED**  
**U.S. COURT OF APPEALS**  
**ELEVENTH CIRCUIT**  
**July 12, 2005**  
**THOMAS K. KAHN**  
**CLERK**

D. C. Docket No. 03-81070-CV-KLR

BRANDON P. MOORE,  
on behalf of himself and all  
others similarly situated,

Plaintiff-Appellant,

versus

TRACTOR SUPPLY CO.,

Defendant-Appellee.

\_\_\_\_\_  
Appeal from the United States District Court  
for the Southern District of Florida  
\_\_\_\_\_

**(July 12, 2005)**

Before TJOFLAT, ANDERSON and GODBOLD, Circuit Judges.

PER CURIAM:

We find that the district court properly granted summary judgment in this Fair Labor Standards Act case because the plaintiff fit within the executive exception to federally mandated overtime pay.

AFFIRMED.